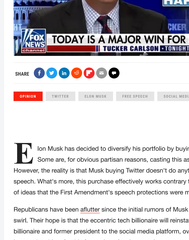
OPINION

Elon Musk Buying Twitter Isn't a Win for Free Speech | Opinion



NICHOLAS CREEL, *ASSISTANT PROFESSOR OF BUSINESS LAW, GEORGIA COLLEGE AND STATE UNIVERSITY*
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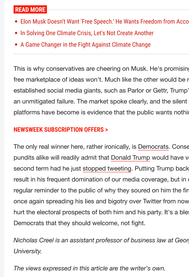
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Elon Musk has decided to diversify his portfolio by buying Twitter for $44 billion. Some are, for obvious partisan reasons, casting this as a win for free speech. However, the reality is that Musk buying Twitter doesn't do anything to advance free speech. What's more, this purchase effectively works contrary to the very marketplace of ideas that the First Amendment's speech protections were meant to advance.

Republicans have been aflutter since the initial rumors of Musk buying Twitter began to swirl. Their hope is that the eccentric tech billionaire will reinstate a certain real estate billionaire and former president to the social media platform, overturning the ban imposed on him after his fomenting of an insurrection meant to overturn the results of the 2020 election. While this reinstatement is now fairly likely to happen, it doesn't really advance free speech in any meaningful way.

Free speech, particularly in the context of the First Amendment, was always about restricting what the government can do when it comes to airing our opinions. The idea was that removing government from the possible regulation of the speech of its citizenry would result in a robust marketplace of ideas. Republicans calling on the government to regulate the likes of Twitter and Facebook by requiring them to reinstate deplatformed individuals like Trump is both a violation of the spirit and the letter of the law as it regards to the First Amendment. These private companies have the right under the First Amendment to choose to remove speech and speakers they find objectionable.



A phone screen displays the Twitter logo on a Twitter page background.
OLIVIER DOULIERY/AFP VIA GETTY IMAGES

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Further, the concept of free speech has never been about preventing social backlash from the things people say. If it was, the marketplace of ideas wouldn't be free as it would imply that the government would be limiting our ability to vigorously decry ideas we find repugnant. "Cancel culture" as Republicans call it is nothing more than a function of a free marketplace of ideas where people demand consequences for speech and behavior they find objectionable. Just as we allow the public in a free market to drive a provider of shoddy goods into bankruptcy, we must also allow the people in a free marketplace of ideas to ostracize and denounce those they strongly disagree with.

Elon Musk placing Trump back on Twitter after buying it is effectively just him throwing money at the company so as to override their earlier decision, a decision most Americans agree with. The marketplace of ideas isn't being better protected by Musk, it's being bought out by him. Add to this the fact that Musk, already a billionaire, doesn't need Twitter to make money or grow in value. The result is we can expect him to run Twitter not in accord with the demands of the people but in a way that services his own personal interests.

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This is why conservatives are cheering on Musk. He's promising to give them what the free marketplace of ideas won't. Much like the other would be replacements to the established social media giants, such as Parlor or Gettr, Trump's Truth Social has been an unmitigated failure. The market spoke clearly, and the silent graveyard that these platforms have become is evidence that the public wants nothing to do with them.

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The only real winner here, rather ironically, is Democrats. Conservative and liberal pundits alike will readily admit that Donald Trump would have very probably secured a second term had he just stopped tweeting. Putting Trump back on Twitter will additionally result in his frequent domination of our media coverage, but in doing so it will serve as a regular reminder to the public of why they soured on him the first time around. Trump once again spreading his lies and bigotry over Twitter from now until November will only hurt the electoral prospects of both him and his party. It's a blessing in disguise to Democrats that they should welcome, not fight.

Nicholas Creel is an assistant professor of business law at Georgia College and State University.

The views expressed in this article are the writer's own.

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Conversation 30 Comments

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What do you think?
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ThomRidesAgain 8 hours ago
It's so funny the way guys like this say "Speech has consequences!".
And yeah, it does. You used your speech to shut down anyone you disagreed with, and the consequence of that speech was that Elon Musk bought Twitter, and he's going to unleash all the trolls on you again.
Sorry. Guess your speech ...See more (Edited)
Reply 9 4
Ed L. 5 hours ago
The ignorance, gullibility and malice of tribal, politically partisan Americans isn't Musk's responsibility. Look in the mirror, tweeters. Elon Musk just bought the world's most expensive sewage plant. (Edited)
Reply 2
Houlmont 2 hours ago
Waiting to see what Musk does re Trump. If he lets Trump back, I'm gone.
Reply 1 1
2 replies
ThomRidesAgain 8 hours ago
"Cancel culture' as Republicans call it is nothing more than a function of a free marketplace of ideas where people demand consequences for speech and behavior they find objectionable."
Yeah. That's what it is. The problem is, you are a bunch of asinine corpulates who find too much stuff "objectio...See more (Edited)
Reply 4 7
DetroiterS1 6 hours ago
What does someone's sexuality have to do with this? Or is it because you're one of those name-callers like the former guy?
Your quote: "Maybe you shouldn't have been so homosexual about it."
Reply 7
1 reply
Eddie Brawl 4 hours ago
lol, free speech is so scary!!!
Reply 3 2
DetroiterS1 6 hours ago
We are quickly becoming what "we, the people" hoped we would never become.
FREEDOM! Hahaha! We only think we're free.
Reply 1 3
1 reply
cclaxton 5 hours ago
First of all, this guy is a leftist, supporter of CRT, and leftist ideologies.
Reply 3 4
2 replies
Pound Sand 5 hours ago
Another article by a guy who hoo-rahs for censorship as if it's a virtue. Did this guy and Bobby Reich come up with this copium while sharing a soy latte with two straws sticking out of it?
Reply 2 4
1 reply
PurpleBeets 4 hours ago
I am not keen on Musk on Twitter. But you got fascists on knees clapping for some reasons with this opinion article. Fascism vehicle for Neo-Nazis or Regular-Nazis to debase each others flat.
Reply 1 3
Dorothy 8 hours ago
Twitter will become a cesspool.
Reply 3 9
ThomRidesAgain 8 hours ago
What do you think it is now?
Reply 7
1 reply
Show 1 more reply
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